

STATEMENT OF REASONS (FROM TRANSCRIPT)

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THE COURT: Mr. Alviti, will you stand?

This sentence I impose on you today is a sentence that will reflect the seriousness of trafficking in oxycontin. Mr. Tobin is right, this has become a very substantial problem and the world needs to know that the courts will treat this as a problem of substance -- I guess I shouldn't use that word -- a substantial problem, a serious problem.

What I intend to do in this sentence is to take account of the fact that you did cooperate to some extent in bringing to justice Mr. Gould. This whole adventure of not testifying and then changing your mind complicates matters, but I recognize that you did offer help to the government in that prosecution.

On the other hand, I also take into account that failure to abide the restrictions that were placed on you when you were at liberty, the fact that you removed the bracelet or left your restriction and used at least two drugs, maybe three on the day that you were supposed to be sentenced before. I had intended to increase any punishment to account for that violation of the terms of your pretrial release. Instead, what I've decide to do is to balance that transgression against your cooperation and fashion a sentence where one of those counteracts the others or balances off the other.